

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT**

In the Matter of:

Jeffrey David Hurley
Lyn Marie Hurley
Debtor(s)

Case No. 10-35686
Chapter 13
HON. Daniel S. Opperman

**OBJECTION TO PROOF OF CLAIM #8 FILED BY DONALD K. CURRIE
REVOCABLE TRUST U/A/D 7/28/1998**

NOW COMES, Jeffery and Lyn Hurley, by and through their attorney, David W. Brown of Law Offices of David Brown and objects to Proof of Claim #8 filed by DONALD K. CURRIE REVOCABLE TRUST U/A/D 7/28/1998, on the basis set forth:

1. Claim number 8 filed on behalf of DONALD K. CURRIE REVOCABLE TRUST U/A/D 7/28/1998 in the amount of \$385969.73 is filed as a secured claim against all assets owned by the Debtors.
2. The alleged principal balance is listed as \$256,846.95 with additional costs and interest of \$129,122.78. Debtors contend that they have not been given credit for all payments made to date and that the amount of interest far exceeded an appropriate rate of interest and must therefore be reduced.
3. Claim number 8 states an excessive rate of interest, claims to cover attorney fees, and other costs. This claim is from a settlement agreement and not from a judgment of any Court. Therefore the amount owing is akin to a breach of contract action. Creditor has filed an adversary proceeding

seeking non-dischargeability of any of their claim. This Court will make the determination as to the dischargeability and amount owing.

Therefore this claim is objected to and it is requested that an order be entered disallowing this claim for purposes of distribution.

Respectfully submitted,

/s/ David W. Brown
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Dated: March 15, 2011